THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 8 OF 2006

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Dated 17th March, 2006

Between:

Kaipu Konda Reddy

--- Petitioner

And

The Government of A.P. represented by

its Secretary, Tribal Welfare, Secretariat,

Hyderabad and others.

--- Respondents.

ORDER:

This writ petition is filed seeking a writ of mandamus to direct the respondents not to evict the petitioner from the land admeasuring Ac.3.00 gts. in Survey No.431/1 situated at Morampalli Banjar, Burgampad Mandal, Khammam District.

On the ground that the purchase of above land by the petitioner is in contravention of the provisions of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970, proceedings were initiated on the file of Agency

Divisional Officer, Palvancha in L.T.R. Case No. H.154/95/BPD and an order of eviction was passed on 17.10.2000 and the Mandal Revenue Officer was directed to take over the possession of the land to Government. That order is also affirmed on appeal being filed by the petitioner before the Agent to Government, Khammam in CMA No. 16 of 2002. Against the said order of the appellate authority, the petitioner further filed revision as provided under Clause 6 of the AP Scheduled Land Transfer Regulation and when no orders are passed by the reviosional authority, he approached this Court.

This court, at the stage of admission, while issuing notice before admission ordered status quo on 3rd January, 2006. Though counter affidavit has not been filed, it is not in dispute that the revision filed is pending consideration. It is the case of the petitioner that the purchase made by him is not in contravention of the Regulations. However, as the revision is pending before the Government, it is not desirable to record any finding on merits as to whether the purchase of the land by the petitioner is in contravention of the regulations or not. But, inasmuch as it is the case of the petitioner that the subject land was purchased as early as on 25.10.1965 and the he is in continuous and uninterrupted possession, I dispose of the writ petition directing the revisional authority, the first respondent herein to dispose of the revision, as expeditiously as possible and further the respondents are directed not to evict the petitioner from the petition-schedule land admeasuring Ac.3.00 in Sy.No.431/1, situated at Morampalli Banjar, Burgampad Mandal, Khammam District till the revision is disposed of.

Subject to the above direction, the writ petition is disposed of. No costs.

2006. **(R.SUBHASH REDDY, J.)**

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